

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
OSCAR MENDEZ, individually and on  
behalf of all other persons similarly  
situated,

Plaintiff,

-against-

ORDER  
12-CV-3202 (JS) (AKT)

LOUIE'S SEAFOOD RESTAURANT, LLC and/or  
any other entities affiliated with,  
controlling, or controlled by LOUIE'S  
SEAFOOD RESTAURANT, LLC, and/or  
MARTIN PICONE and MICHAEL GUINNANE,

Defendants.

-----X  
APPEARANCES

For Plaintiff: Jeffrey Kevin Brown, Esq.  
Daniel Harris Markowitz, Esq.  
Jessica Lorraine Parada, Esq.  
Michael Alexander Tompkins, Esq.  
Leeds Brown Law, P.C.  
1 Old Country Road, Suite 347  
Carles Place, NY 11514

For Defendants: Laura M. Dilimetin, Esq.  
Dilimeten & Dilimeten  
47 Plandome Road  
Manhasset, NY 11030

SEYBERT, District Judge:

On May 1, 2013, the Court denied the parties' joint request for approval of their Confidential Settlement Agreement & General Release (the "Agreement") on the grounds that it contained a confidentiality provision and the parties failed to provide the Court with enough information to determine whether the Agreement was fair and reasonable. The parties were given thirty (30) days to submit a revised Agreement for judicial approval as well as any

additional information that would assist the Court in examining the bona fides of the dispute. The Court stated that if the parties failed to renew their request for judicial approval in thirty (30) days, the action would be referred to Magistrate Judge A. Kathleen Tomlinson for discovery. On May 31, 2013, the Court received a 6-paragraph affidavit from Defendant Michael Picone. The Court has yet to receive a revised Agreement, nor has it received any supplemental material from Plaintiff. Thus, it appears as though the parties are no longer interested in settling this matter.

Accordingly, this action is hereby REFERRED to Judge Tomlinson for all discovery and other non-dispositive pretrial matters.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: June 26, 2013  
Central Islip, NY